

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JAMES WYMER,

Plaintiff,

V.

JOHN OR JANE DOE,

Defendant.

NO. 5:24-cv-00055-MTT-MSH

ORDER

Plaintiff James Wymer, a prisoner in Central State Prison in Macon, Georgia, filed a handwritten document in the Northern District of Georgia, which was docketed as a 42 U.S.C. § 1983 civil rights complaint.¹ Compl., ECF No. 1. Because Plaintiff's allegations related to his treatment at Central State Prison, the United States District Court for the Northern District of Georgia transferred Plaintiff's case to this Court. Order, ECF No. 4.

At that point, Plaintiff had not either paid the \$405.00 filing fee for a civil rights action or moved for leave to proceed *in forma pauperis*. Accordingly, Plaintiff was ordered to do so if he wanted to proceed with this case. Order, ECF No. 7. Additionally, because Plaintiff did not file his complaint on the form for a 42 U.S.C. § 1983 prisoner complaint, he was also ordered to file a recast complaint on the proper form. *Id.* Plaintiff was given fourteen days to complete these actions and was cautioned that his failure to do so could result in the dismissal of this case. *Id.*

¹ When this case was transferred to this Court, Plaintiff was being held at the Fulton County Jail. Thus, to date, orders from this Court have been sent to Plaintiff at that location.

The order for Plaintiff to address the filing fee and submit a recast complaint has now been returned to this Court as undeliverable. Mail Returned, ECF No. 8. A review of the Georgia Department of Corrections Find an Offender search suggests that Plaintiff has been transferred back to Central State Prison.² Plaintiff has not filed a notice of change of address with this Court. It is Plaintiff's responsibility to keep the Court informed as to his mailing address, and his failure to do so constitutes a failure to prosecute this case and may be cause to dismiss this action. Nevertheless, because it appears that he has not received this Court's previous order, Plaintiff will now be given a chance to take the ordered actions. To that end, the **CLERK** is **DIRECTED** to forward a copy of this order, along with the order to recast the complaint and either pay the filing fee or move for leave to proceed *in forma pauperis* (ECF No. 7) to Plaintiff at Central State Prison.

Plaintiff is again **ORDERED** to file a recast complaint and either pay the filing fee or move for leave to proceed *in forma pauperis*, consistent with the previous order. Plaintiff shall have **FOURTEEN (14) DAYS** from the date of this order to complete these actions. Plaintiff's failure to fully and timely comply with this order may result in this case being dismissed. There shall be no service in this case pending further order of the Court.

SO ORDERED and DIRECTED, this 4th day of April, 2024.

/s/ Stephen Hyles

UNITED STATES MAGISTRATE JUDGE

² See Georgia Dep't of Corr., Find an Offender, <http://www.dcor.state.ga.us/GDC/Offender/Query>, Query "Wymer, James" (showing most recent institution as Central State Prison) (last visited April 4, 2024).